



The 21st Navajo Nation Council

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FOR IMMEDIATE RELEASE

Fort Defiance Agency Council delegates meet with Navajo Board of Election Supervisors to discuss absentee voting issue

WINDOW ROCK, Ariz. – Fort Defiance Agency Council delegates met today for a special meeting and heard a report from the Navajo Board of Election Supervisors regarding absentee voting, which has become an issue for the 2010 Navajo Nation Primary Election on Aug. 3.

Along with absentee voting, other topics of discussion included: the processing of ballots, which have been delayed as result of the Navajo Nation Supreme Court's May 28 rulings and appeals of candidates who have filed for the primary election, discussion on possible referendum measures, and the prohibition of election hearings, which was stripped from the Navajo Board of Election Supervisors' (NBOES) list of responsibilities by the 19th Navajo Nation Council.

But the issue that received most attention among the Agency Council delegates was absentee voting and how the Navajo Nation Attorney General's opinion ignores the fundamental right of voters who live off Navajo Nation territory particularly Navajo voters in the armed forces.

In a memo addressed to Larry Biltah, chairman for NBOES, Navajo Nation Attorney General Louis Denetsosie issued an opinion saying "it is recommended that NBOES give notice to voters and the candidates that there will be early voting but not absentee ballots for that election. This will make it incumbent on the candidates to assure that their supporters show up at the polls in person."

Council Delegate Larry Anderson (Fort Defiance), a veteran of the U.S. Marine Corp., said to deny absentee voting is a violation of one of the most sacred rights individuals have access to.

"For many of us veterans, we rely on the sacred right to cast a ballot. That is one of the most sacred rights given to us in the U.S," Anderson said. "If you do not send one absentee ballot to the veterans overseas, you are violating their right to vote."

Anderson also reminded the election supervisors that they were elected by the Navajo people and said as long as the law is abided support would be there.

Council Delegate Tim Goodluck (Houck/Lupton/Nahata Dził) questioned if absentee ballots would be available for the Navajo public, "Are you saying that absentee ballots are an option?" He also said liabilities would be involved and reminded the NBOES they were elected bodies; thus, proper action needed to take place. "Our military personnel are losing their lives out there for us," he said.

Council Delegate Orlanda Smith-Hodge (Cornfields/Greasewood Springs/Klagetoh/Wide Ruins), chairwoman for the Fort Defiance Agency, agreed and elaborated more on NBOES' role as an independent body.

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“As an independent body the NBOES should have stopped the high court’s process and said, ‘We make the decisions,’” Smith-Hodge explained. “Now, it is this far. I want to encourage you to be steadfast in your decisions for the people, not for us, not for Window Rock or even for political bodies.”

“We are having an election scheduled by the law,” Election Supervisor Jonathan Tso said. “We are not accommodating any body in particular – the election law specifically tells us the deadline and we are following that. When you start to go against laws you are violating your oath in office.”

Council Delegate Benjamin Curley (Kinlichee/Ganado) commended the election supervisors for following the law but also said a petition for reconsideration should have been filed to address issues such as absentee voting in the current election process.

Curley also said the Council could pass legislation to delay the election to accommodate the absentee voting issue in an effort to prevent the violation of voting rights.

Election Supervisor Tso said he did not personally support a possible extension to the primary election, which the Agency Council delegates inquired about but did express interest in possibly making an exception for Navajo veterans on absentee voting.

“When we address an issue we always rule according to the law so we can defend ourselves,” he said. If an extension on the primary election is granted the extension would impede on the general election.

The Fort Defiance Agency Council delegates accepted the NBOES report, 11-0.

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